



Colorado Liberty

State Gov't Operating Without Legal Authority

by John S. Pleasant and Jerry L. Manka

Alan Charnes, Jack Kinstlinger, Gail Klapper, Robert Ore, Calvin Frazier, Ruben Valdez. All nice, normal-sounding names, and they all have several things in common. All were appointed by Governor Lamm to be Executive Directors of their Departments; all were required to take an Oath of Office to qualify their appointments; none of them did so. They have been running this State, telling you and me how to live and run our schools and businesses, in clear violation of the law!

The Constitution and Laws of Colorado require "every civil officer" to take an Oath of Office, file their Oath with the Secretary of State, "and faithfully perform the duties of the office . . . upon which I am about to enter."

None of Governor Lamm's appointments took an oath before taking office, as they are required. The Constitution says if the office is *not* qualified by an Oath before assumption of duties, that the office is deemed to be vacant. Volume 63 of American Jurisprudence (Public Officers and Employees) says in Section 124, that if they must take the oath and do not, that they cannot take it later; no one can give it to them; and, if they do take it later, it still confers no power to act. All of them took an Oath between May 22 and 27, 1980. So, in spite of the oaths taken in May, the offices are still vacant.

It has often been said that "Nature abhors a vacuum", and of course we all know "it's not nice to fool with Mother Nature". Alan N. Charnes apparently did not pay attention in school, and must not watch much T.V., because he and his department, the much feared Department of Revenue, State of Colorado, are defying natural law.

Mr. Charnes was appointed to the post of Executive Director of the Revenue Department by Governor Lamm on July 6, 1977, appointment effective August 1, 1977, if the Legislature agreed. They did. So, bright and early August 1st, Mr. Charnes began his current reign as dictator-in-charge of Colorado's revenue statutes and his own private army — the Colorado Highway Patrol.

Now, we all know that "ignorance is bliss", so, Mr. Charnes went about his duties blissfully ignorant of the fact that Colorado has a Constitution, and that under the terms of that document, there are certain things he has to do **BEFORE** he can become dictator-in-charge! They are little things, but very, very important. He *must* take an Oath of Office; he *must* file that Oath with the Secretary of State; and he *must* do this **BEFORE** he goes to work.

WHY? Because, if he does not, his appointment and his office are **VACANT!**

What does this mean to us, as citizens?

(Continued on page 2)



ALTERNATIVE '80 CLARK TELETHON

Part of the crowd of over 130 Colorado supporters of Ed Clark who attended the September 28th national telethon. The telethon was broadcast to over 50 cities and raised over \$150,000.00 for the Clark campaign. Telethon guests included host Nicholas Von Hoffman, Eugene McCarthy, Howard Jarvis, and a full cast of well-known Libertarians.

Libertarians On Ballot In All 50 States, D.C.

For the first time in the history of the United States, a third party has achieved ballot status for its Presidential ticket in all 50 states plus the District of Columbia. This November, Libertarian Presidential nominee Ed Clark and his running-mate, David Koch, will be represented on every ballot throughout the U.S. The best ballot

showing by any ideologically consistent alternative party since 1912, and therefore a significant breakthrough in terms of voter acceptance. Conversely, Clark noted, a total below one million would represent "failure."

500 Libertarian Candidates

Now You're A Cop, Like It Or Not

A little item of legislative news, one that didn't get much ballyhoo or notice, should give libertarians pause to think, as it typifies the attitude of the modern state toward otherwise free individuals. Shorn of distractions and euphemisms, the news is—you've been drafted again, this time to be a cop!

A small change in the language of the Colorado statutes now puts on paper what has been developing as official government policy for some time. Henceforth, individuals are deemed to be under a non-contractual obligation to the State to abet the instigation of criminal investigations whenever they "suspect" that some activity banned by law may have taken place.

On the surface, that may sound very reasonable. Think again. It means, for one thing, that you no longer are legally allowed to exercise any personal discretion in deciding whether or not a given situation involves a violation of someone's rights and thus warrants some forcible response. If you even have the slightest suspicion that some violation of any law may have occurred, you are required to blab everything you know to "the authorities"; they, and they alone, will decide whether or not to open a case against somebody.

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by Patrick L. Lilly

In a free society, of course, a prudent individual would most commonly decide to keep his mouth shut when he was merely "suspicious", in order to avoid doing unwarranted harm to some innocent third party. And, perhaps more relevantly, a prudent, freedom-loving person in this not-very-free society, harboring a very understandable distrust of both the methods and the goals of the State's police, might very frequently decide to keep what he knows to himself, in order to keep anyone from being subjected to what now passes for "criminal justice". Criminal it is; justice it ain't.

That is the option which has now been taken away from you, according to the law.

During World War II, the Nazis put up what, in modern jargon, they probably would have called "public service" messages all over the countries they occupied saying: "Inform promptly and accurately and insure your own safety". The very clear idea was that if you happened to know where some dirty Jews were hiding, and didn't promptly turn them in, then you were interfering with "law and order", and you must have something to hide yourself; maybe you were a dirty Jew yourself, so off to the camps you went.

Well, friends, the Nazis are back. If you happen to know where some dirty dope dealers are hiding, or some dirty prostitutes, or some dirty gamblers, or some dirty gun

Continued on page 6

A Note Of Thanks

The Colorado Libertarian Party would like to thank Wayne Stockton, Richard Borchers, and the Colorado chapter of the American Civil Liberties Union for their assistance in the fight against the unreasonable, restrictive party affiliation requirements which were added to Colorado's election code in 1979 and used to prevent ballot access for Libertarian candidates in 1980.

The ACLU's long history of working to defend the right of free speech and other civil liberties is greatly appreciated.

nominee Ed Clark and his running-mate, David Koch, will be represented on every ballot throughout the U.S. The best ballot showing by any third-party candidate prior to this time was made by George Wallace in 1968; Wallace made the ballot in all 50 states, but missed in D.C.

The Libertarians' achievement represents a triumph for thousands of volunteer workers around the country, who collected approximately one million petition signatures to make it possible. Their success offers dramatic proof that the Libertarian Party is the most significant new party to emerge in this country since the Socialist movement in the early years of this century.

Target: Two Million Votes

Clark made a brief campaign stop in Colorado on September 27, and was asked about his expectations for November. He expressed confidence that the LP ticket would poll more than two million votes, and hope that the total might pass the three-million mark. He cited a recent national poll conducted by the *Los Angeles Times*, placing him at 3%, which would represent about 2½ million votes. Clark also noted that a poll in Alaska showed the Libertarian ticket running second to Reagan and Bush in that state, nudging out both Carter and Anderson.

A showing of three million votes out of approximately 85 million to be cast would place the Libertarians at 3½%—the best

500 Libertarian Candidates

In an airport press conference, Clark predicted that the LP would be "the majority party by the end of this decade," and dismissed John Anderson's independent Presidential bid as "a one-shot effort." There are approximately 500 candidates running on the Libertarian line this year — up from about 200 in 1978 — while Anderson is a loner with no continuing party organization.

The Libertarians running for office this year include nearly 150 seeking seats in the U.S. Senate and House of Representatives; the remainder are running for state legislatures and local offices. One Libertarian, Dick Randolph, already holds a seat in the Alaska legislature. Additional Libertarians are expected to win in Alaska this year, and there are prospects for victories in California, Arizona, Iowa, Oregon, Georgia and New Jersey as well.

Total votes cast for all Libertarian candidates should pass the five million mark in 1980. In Colorado, LP leaders expect the Clark-Koch ticket to poll 40,000 to 60,000 votes out of 1.2 million cast, and are hoping that the party's five Congressional candidates will average better than 5% in their races. Colorado and New Jersey are the only states with more than two Congressional districts where the Libertarians have a candidate in every Congressional race.

Colorado Libertarian Party

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Echoes of 1912

by David F. Nolan

Drawing parallels between one election and another is risky, at best. For while social and economic trends tend to run in cycles, every situation is unique.

Still, it is hard to avoid noticing the great similarities between the presidential election of 1912 and the one that is upon us now.

In each, we have a conservative Republican facing a Southern Democrat, an independent contender who broke away from the GOP, and a significant ideological third-party candidate as well.

The candidates then were William Howard Taft (Republican), Woodrow Wilson (Democrat), Teddy Roosevelt ("Bull Moose" Progressive) and Eugene Debs (Socialist). Their counterparts today are Reagan (Republican), Carter (Democrat), Anderson (Independent) and Clark (Libertarian).

Of course, there are significant differences between 1912 and 1980. For one thing, it was the incumbent President whose party was divided by the "breakaway" candidate in 1912, while today it is the challenger. And where in 1912, Debs was pressing for a massive increase in the role of the State, Ed Clark now is calling for a radical reduction in that role.

The results in 1912 broke from the standard two-candidate pattern to a degree that has not been equaled since. Wilson won the election with only 42% of the vote; the maverick Roosevelt placed second with 27½%. Taft ran third, with 23%; Debs captured 6%; other candidates picked up the remaining 1½%.

Overall, an astounding 35% of the electorate rejected the two established-party nominees. Roosevelt's showing of 27½% set the record for any independent candidate's performance, while Debs' 6% was the high-water mark for ideological third-party contenders in the 20th century.

Since 1912, the fortunes of both types of "alternative" candidate — major-party breakaway and philosophically coherent third-party entrant — have declined steadily. The closest approaches to Teddy Roosevelt's 1912 showing were Robert LaFollette's 17% in 1924 and George Wallace's 13½% in 1968, while no candidate

and fewer significant "alternative" candidates as time has gone by: only ten who scored above 0.2% in the years 1940-1976, as compared to 26 in the period 1900-1936. And where the Socialists regularly pulled about 3% of the vote in the early years of this century, no third-party candidate except George Wallace has hit the 1½% mark in the last seven elections.

This pattern is not likely to change radically in 1980. John Anderson is a far weaker contender than Teddy Roosevelt, who had already been President prior to his "Bull Moose" campaign. Anderson's reputation and following do not even approach those of LaFollette and Wallace, both of whom were already well-known to most voters before their independent presidential bids. And Ed Clark in 1980 is a virtual unknown compared to Eugene Debs in 1912.

Realistically, Anderson and Clark will be doing well to get half the percentages garnered by Roosevelt and Debs; scores one-third as high are more probable. This would indicate showings of 8%-13% for Anderson and 2%-3% for Clark. (A 3% showing for Clark would make him the highest-polling ideological candidate since 1920. Evidence of a strong and growing anti-statist sentiment in the land, but not yet proof that a true three-party system is about to emerge, by any means.)

Given a 10%-15% defection from the two main-line parties, the outcome of the race between Carter and Reagan becomes very difficult to predict. It is hard to imagine Carter doing as badly as George McGovern (37½%); it seems more likely that he will at least match the showing made by Hubert Humphrey (43%). Reagan seems certain to beat Barry Goldwater's 1964 performance (38½%) and should top Nixon's 1968 showing (43½%).

A reasonable prediction, as of October 1, would be that Reagan will edge out Carter by a couple of points in the popular vote — perhaps 45% to 43%, with Anderson getting 9%-10% and Clark 2%-3%. The electoral outcome is anyone's guess.

Regardless of who wins in 1980, however, it would now appear that the Libertarian Party could well have as much impact on the



Colorado Libertarian Calendar



- Oct. 15 John Mason at Gove Community School. 7 pm 14th & Colorado Blvd. Everyone come to support John.
- Oct. 15 Discussion Group, 7:30 pm at the Party Office 1041 Cherokee. Topic — Transportation.
- Oct. 16 New Clark Ad ABC 9:55
- Oct. 16 Paul Grant at the Edgewater City Council 7:30 pm
- Oct. 18 Candidates tables at Buckingham Square Mall. Volunteers needed. Come help!! 10 am to 4 pm.
- Oct. 18 Distribute Literature. Help spread the word of freedom. Call 573-5229 for details.
- Oct. 19 Jim Phelps at C.S.U. Student Center in Ft. Collins 7:30 pm.
- Oct. 19 New Clark ad ABC 9:55
- Oct. 19 Can't doorbell on Saturday, then how about Sunday? How about both?? Please call 573-5229.
- Oct. 21 Candidates at Regis College. 7:30 pm. Come one, Come all.
- Oct. 22 C.L.P. Board Meeting 7:30 pm at Party Office.
- Oct. 24 Jim Glennie LIVE on Channel 6. 7:30 pm.
- Oct. 25 Candidates Tables at Lakeside Mall 10 am to 12:30 pm.
Candidates Tables at Westminster Mall 1:30 to 4:30 pm. If you live nearby (or even if you don't) please volunteer for a few hours. Call the Office 573-5229.
- Oct. 25 Only 10 days before the election. Come out and help us hand out material on the candidates. Call the Party Office to Volunteer.
- Oct. 26 Only NINE more days. Come help us and YOU! Doorbelling is SOOO much better than petitioning. Call the Office - 573-5229 - if you can help.
- Oct. 27 Cynthia Molson-Smith on Channel 6 at 7:30 pm.
CANDIDATES NIGHT! Ed Clark, Jim Phelps, and all the Libertarian Candidates. Phipps Tennis House, 3400 Belcaro, Denver (between University and Colorado, just south of Exposition), 7 pm-10 pm. Bring all your friends — last chance before the election.
- Oct. 28 John Lanning on Channel 6 at 7:30 pm.
- Oct. 29 Paul Grant on Channel 6 at 7:30 pm.
- Oct. 30 John Mason on Channel 6 at 7:30 pm.
- Nov. 1 Doorbelling. Only three more days, so come help out. Call the office for times and places. 573-5229.
- Nov. 2 Only two more days to alert people to LIBERTY. Help make freedom a possibility in YOUR lifetime!
- Nov. 4 V*O*T*E Call your friends — get out the vote for freedom. After voting come to the Election Night Party at the Denver Club, 518 17th Ave. 7 pm-11 pm.
- Nov. 5 Discussion Group at Party Office. Topic - Where do we go from here? Strategy for Freedom. 7:30 pm.
- Nov. 12 C.L.P. Cocktail Party at Party Office 7:30 pm.
- Nov. 18 Space closing for Dec/Jan Colorado Liberty.
- Nov. 19 Discussion Group at Party Office-Controlled Substances 7:30 pm.
- Nov. 22 Material due for Dec/Jan Colorado Liberty.
- Nov. 26 C.L.P. Board Meeting at Party Office 7:30 pm.
- Dec. 3 Discussion Group at Party Office. Topic - Kid's Lib 7:30 pm.
- Dec. 10 C.L.P. Cocktail Party at Office 7:30 pm.
- Dec. 17 Discussion Group at Party Office. Topic - Religion and Libertarianism.

laws of this State. To put it somewhat bluntly, they have the power to ruin each

Roosevelt's 1912 showing were Robert LaFollette's 17% in 1924 and George Wallace's 13½% in 1968, while no candidate originating totally outside the established two-party system has ever done better than 3½%.

By every measure, the two-party system has become increasingly institutionalized in the years since 1912. There have been fewer

Regardless of who wins in 1980, however, it would now appear that the Libertarian Party could well have as much impact on the American political system in the final two decades of the 20th century as the Socialists did during the first two decades. No small achievement, when you consider that virtually everything the Socialists were advocating 60 years ago is now a reality!

No Legal Authority

Continued from page 1

There are several explanations, all ominous, but first, a short refresher on some history, Colorado style.

When Colorado petitioned to enter the Union, it was populated by people well versed in freedom and its benefits and responsibilities. The Constitution these men and women created bears out this opinion. You do not have to read very far to find out who's in charge in Colorado — in fact, only about halfway down the first page.

Article II, Sections 1 and 2 put it pretty plainly: you and I, my friends, are the sole power for governing the State. We, the people, separated the government of this State into three branches, with an absolute prohibition requiring each to keep its hands

off the powers of the other two. The legislature is empowered to pass laws. The executive or civil branch is empowered to enforce and administer the law. And the judicial branch is assigned the responsibility to settle disputes over the law and arbitrate private quarrels. All three are to keep an eye on each other and jealously guard their powers.

Each branch has to qualify itself under the Constitution to make its authority acceptable to you and me, because we retained the right to "alter or abolish" unsatisfactory government.

Unfortunately, we too have been blissfully ignorant of some very important facts. Article XII, Sections 8, 9, and 10, set up the qualifications of "every CIVIL officer", because they are dictators-in-charge of enforcement and administration of the

laws of this State. To put it somewhat bluntly, they have the power to ruin each and every one of us through their policies of enforcement and administration.

While our forefathers in 1876 may not have been long on formal education from government-supported colleges, they were graduates of a much rougher school — life. Their experience as immigrants from many foreign lands taught them the truth of the sayings "all governments are inherently evil", and "the road to hell is paved with good intentions". They wanted government under their direct control, because they knew the very real threat represented by a government without restraint.

Of eighteen (18) executive (civil) appointments to departments from 1975 to now, all eighteen (18) have failed to qualify their appointments as our Constitution requires. Every office of Executive Director of a Department in Colorado is VACANT under the Constitution. We will not burden you by listing all the offices and their appointees, but will list some which we consider of major importance to our liberty, both political and economic.

These are: Alan N. Charnes — Revenue

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Letters to the Editor commenting on content are welcome, but should be brief and topical. We reserve the right to edit letters for space.

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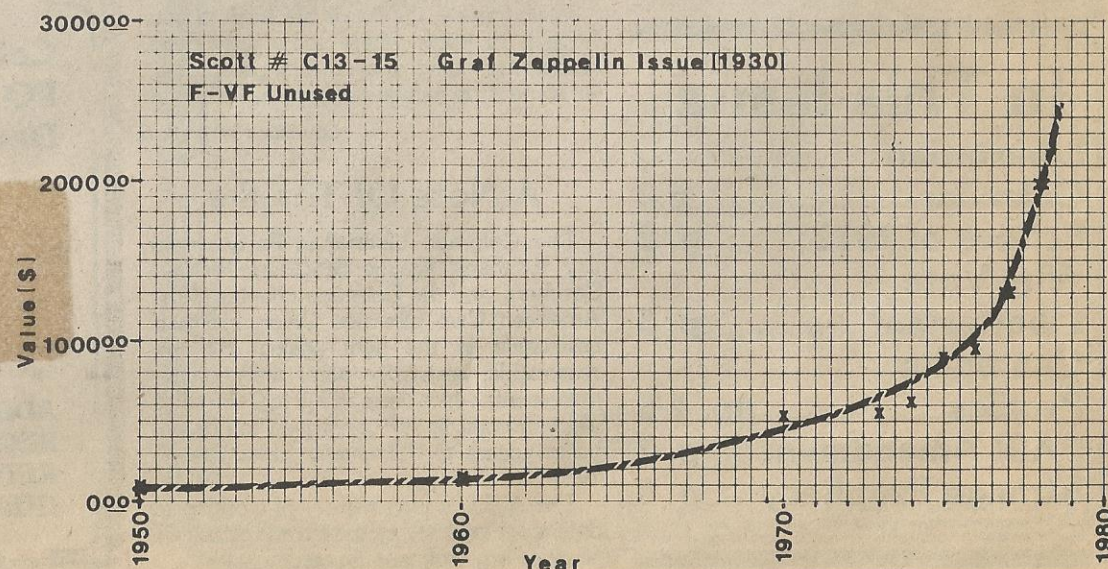


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Why Vote Libertarian?

"I like what Ed Clark and the Libertarian Party are saying, but Clark can't win, so if I vote for him, I've wasted my vote."

More and more people are saying words to that effect, these days. And while it's an understandable sentiment, we'd like to suggest that it's untrue.

In reality, a vote for either Carter or Reagan is a wasted vote. There is no doubt that Reagan will carry Colorado by a substantial majority; so regardless of who you vote for, it's a wasted vote unless all you're concerned with is "picking a winner."

A vote for either of the Republican candidates says "I like what the politicians are doing to me; I want more of the same." A vote for John Anderson is truly the most wasted vote of all; he doesn't stand for anything very different from the Republican and Democratic candidates, and he certainly isn't going to win. A vote for Anderson is a meaningless, one-shot protest, and does nothing to create an enduring alternative for the future.

Voting Libertarian is your best, most effective way to tell the politicians of both other parties that you don't like what they've been doing to you and your country — that you want more freedom, less government, and a better future. A massive Libertarian vote will send them a message they can't ignore!

Against The Grain Synchronous City

By L. Neil Smith

By fortuitous coincidence, next year a pair of semi-historical events will occur in the same metropolis, apparently at the same hotel, most likely within a few days of one another. Labor Day weekend, the World Science Fiction Convention returns to Denver after forty years; the weekend before that, we'll be hosting the LP National Convention, back for the first time since the party's birth.

Being a Libertarian SF writer, I'm naturally worked up about both these clambakes. But why, do you ask, should this concatenation interest other Libertarians? Well, in the months since my first novel *The Probability Broach* was published (and for those dying of curiosity, its sequel *The Venus Belt* will be out around Christmas), my exploration of the weird, wonderful world of sciencefiction-dom has only confirmed what I've always believed: SF and the LP constitute a unique — but similar — parallel — and overlapping pair of populations, and we oughta be taking all the advantage of that flock of adjectives we can.

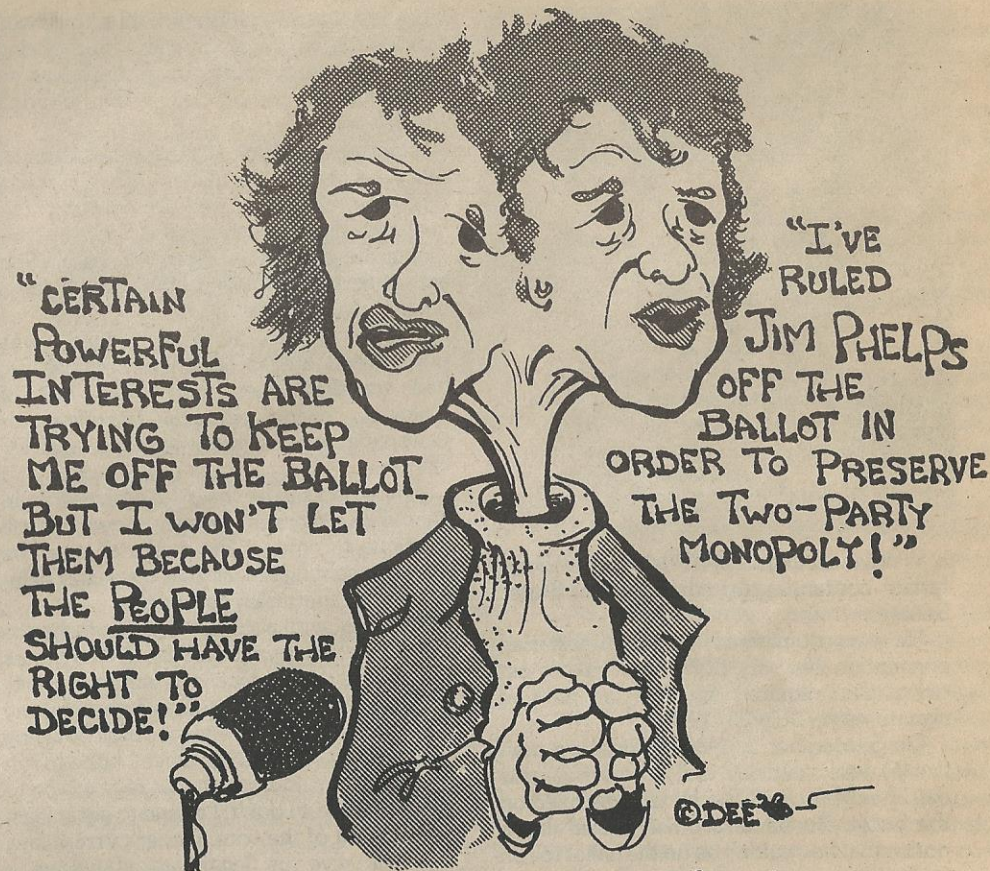
Libertarians and SF readers alone, of all

happen to live near you) are the folks who don't change all that much, but whose rug-rats seem to grow in shocking, time-travelling spurts. Somehow, the world outside, between conventions, doesn't seem nearly as substantial. Or civilized.

The two worlds have quite a few denizens in common: Robert A. Heinlein (whose *The Moon Is A Harsh Mistress* started almost as many Libertarians off as *Atlas Shrugged*), Poul Anderson, Eric Frank Russell, F. Paul Wilson, J. Neil Schulman, and me, I'm Ed McMahon. And many of their citizens travel freely back and forth on some sort of perpetual Twilight Zone shuttlebus.

All this being the case, it shouldn't surprise anyone that, at the SF "cons" I've visited this year (and in past years), the Libertarian Party was universally known, understood, and, more often than not, respected. Everybody seems to know who Ed Clark is, and even in the rare instance when the "fen" (plural for "fan" — get it?) have been treacherously contemplating voting for John Anderson, it doesn't take more than a few minutes to turn 'em around.

THE TWO FACES OF MARY ESTILL BUCHANAN



Buchanan Removes Phelps; Write-In Effort Launched

The people in power have tried to deny you the right to vote for Jim Phelps, the Libertarian candidate for the U.S. Senate.

In some countries, those in power stifle their political opposition by assassinating their opponents. In other countries they jail them. In our land that was once free, those in power, the Democratic and Republican Goliaths, say you can't vote for the Libertarian David, Jim Phelps. Mary Estill Buchanan's office has ruled that Jim can't be on the ballot on November 4, 1980.

The Denver District Court upheld that decision even though Mary and Jim are running for the same office. The Colorado

If you prefer to write-in Jim Phelps at the polling booth, several different voting methods are used in Colorado. Be sure you have a pen and ask an election official how to do it *before* you enter the polling booth. It would be a good idea to take these instructions with you.

Voting machines are used in the following counties: Arapahoe, Bent, Chaffee, Denver, El Paso, Fremont, Garfield*, Gilpin, Gunnison*, Lake, Moffat*, Morgan, Otero, Park*, Powers, and Rio Blanco. (The counties with asterisks use voting machines in some precincts and paper ballots in others). There are two kinds of voting machines.

pair of populations, and we oughta be taking all the advantage of that flock of adjectives we can.

Libertarians and SF readers alone, of all the hundreds of subcultural and special interest groups you care to name, believe the future is plastic, malleable by human action. Most people think inflation's like the weather and that Armageddon's just around the corner. We, and the gang who read those pulpy magazines with sexy ladies being carried off by horrible monsters (or vice-versa) are brighter than the general population, more optimistic, (more given to occasional black fits of pessimism,) and almost instinctively committed to the view that people *make* the world they live in, that individual competence can make it better.

Consequently, we both live in a sort of intellectual ghetto, so thoroughly isolated from our parent culture's values that we might have been born on another planet. This "acculturation" process has been both personally and socially costly, but most of us have paid the price gladly and carried on.

Like the LP, with its state shindigs, regional roundups, and transcontinental tummy-bumps, the SF world seems a huge endless maze of motel suites, meeting rooms, and greasy in-house coffee-shops where your *real* friends and neighbors (as opposed to those unknown nebbishes who

Millionaires Dime-A-Dozen

As the government's policy of continuously inflating the money supply makes our dollars worth less and less, the number of U.S. millionaires is skyrocketing.

As of September, 1980, there were 575,000 millionaires in the United States, according to a survey by the U.S. Trust Company. Some 7,700 of these are in Colorado.

Approximately one person out of every 400 in the United States now has a net worth in excess of \$1 million. Ten years ago, less than one American in 1,000 was a millionaire.

If present inflationary trends continue, one American in 100 will be a millionaire by 1990. And by the year 2000, millionaires will be positively commonplace: one person in ten!

Of course, the money won't be worth much. A year-2000 dollar will have about as much buying power as today's dime . . . or a year-1900 penny!

when the "ten" (plural for "fan" — get it?) have been treacherously contemplating voting for John Anderson, it doesn't take more than a few minutes to turn 'em around. (It's helpful mentioning those Jesus amendments Congressman See-No-Evil has sponsored. SF folks — raised on the cynical anthropology of Harrison, Ellison, and all those other sons-of-sci-fi — have about as much use for organized religion as the average Libertarian, and as sophisticated an appreciation of the damage it can do human rights.)

A caveat: remember an Edward H. Crane III and his little party-piece about how he joined the LP? "When I walked into the first convention, I nearly walked right out again..." (How many of us wish he had!) "...I knew the movement was diverse, but I didn't realize it was quite *that* diverse!"

Well, SF people are *diverser* — some of 'em pretty strange-looking, a mite scruffy around the psycho-epistemological edges, lacking common social graces which — it is my conviction — working in the public eye forced a lot of us to develop. "Pencil-necked geeks," as one prominent LP social commentator put it so diplomatically. For them, the "cons" are the only world in which they feel at ease, reminding me of a long painful period in my own life when SF paperbacks were the only thing that made adolescence bearable.

But be prepared, as well, for a (possibly separate) collection of the brightest, broadest minds you ever slammed into outside that last Hospitality Suite, and the most gleefully unconventional, as well. They won't wanna know "Who'll put in the streetlights?" They'll ask questions about Libertarianism which will strain your ability to think on your feet, and maybe turn your hair a little gray.

The effort's worth it, though. There are more of them than us, and these are the people whose expectations are *already* shaping the future we'll live in — who, almost single-handedly, hammered the U.S. Senate into turning down the Marxist U.N. Moon Treaty — who, if they have to haul the damned things up there themselves, will see that power satellites and Lagrange stations dot tomorrow's evening skies.

And we're the ones who can insure the whole thing's done by private enterprise.

They need us and we need them. Go to both conventions next year (and the miniature one we Libertarian SF writers are planning in between) and see if I'm not right.

I usually am.

on the ballot on November 4, 1980.

The Denver District Court upheld that decision even though Mary and Jim are running for the same office. The Colorado Supreme Court has refused to hear the case.

Jim says, "I have not yet begun to fight". He is stepping up his full time campaign on behalf of Libertarian principles and other Libertarian candidates as well as for his own candidacy. "In spite of all the efforts of the establishment," Jim says, "you can still vote for me as a write-in candidate."

The easiest way to write-in the name of Jim Phelps is to use an absentee ballot. But, if you request an absentee ballot you cannot change your mind and vote at the polls. You must use the absentee ballot and you must get your signature on the *envelope* notarized.

To request an absentee ballot, call your county clerk or send the application below to your county clerk *as soon as possible*.

If a high percentage of those wanting to vote for Jim Phelps do so by absentee ballot, his percentage of the absentee vote could be phenomenal!

When you get your absentee ballot, don't vote for any of the U.S. Senatorial candidates listed. Instead, find the space at the end of the U.S. Senate candidates and write the name Jim Phelps in that space. If you have any questions, call Party headquarters, 573-5229.

Application For Absentee Ballot

County Clerk:

Please send me an absentee ballot for the reason checked below;

..... I expect to be absent from my precinct on November 4, 1980.

..... My work as a is such that I am likely to be absent and I fear that I will be absent on November 4, 1980.

..... On account of serious illness or physical disability, I will be unable to attend the polls on November 4, 1980.

..... I reside more than ten (10) miles from my polling place, by the most direct route for public travel.

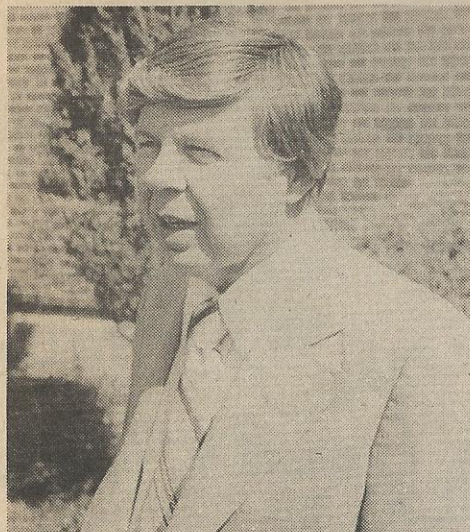
..... For reasons based upon the doctrine of the established religion of which I am a member, I will be unable to attend the polls on November 4, 1980.

PRINTED NAME

SIGNATURE

ADDRESS CITY, ZIP

Jim Phelps United States Senate



Write-in candidate Jim Phelps is the Libertarian contender for the United States Senate.

He was nominated at the Libertarian convention May 31, 1980, and filed almost twice the required number of petition signatures on July 25, 1980.

On September 2, 1980, after more than five (5) weeks of delay, and just one business day after Mary Estill Buchanan was ruled on the ballot, Buchanan's office mailed Jim a notice that he couldn't be on the ballot to run against her.

Jim had tried to register to vote as a Libertarian in 1977 but was told he couldn't do so. He was given three wrong choices. He didn't choose "unaffiliated" because he was affiliated with the Libertarian Party. Instead he chose one of the government parties, the one he considered the lesser of two evils.

In 1979, the legislature sneaked through a law that said Jim chose the *wrong category*.

That law wasn't published until after it was too late for Jim to comply with it by choosing the *right wrong* category, so there was no way he could comply with a law he didn't know about.

The Denver District Court let Buchanan's office get away with this and the Colorado Supreme Court refused to consider the case. So Jim is running as a write-in candidate for the United States Senate. (See article on page 3 telling how to vote for a write-in candidate.)

Before this dastardly deed was perpetrated by his opponent's office, Jim had travelled over more than half of Colorado giving personal interviews at newspaper offices, radio stations, and TV stations.

Jim expects to be the most active write-in candidate Colorado has ever known. He will continue to contact the media all over the state presenting Libertarian ideas and helping other Libertarian candidates.

Jim says, with a smile, "On the off chance that I may lose my race for the United States Senate this year (which is a distinct possibility, since I'm forced to run as a write-in) my work won't be in vain because I will be laying the groundwork for 1982 when I hope to run for Governor. My goal in that race will be to win, but even if I don't, I intend to get at least ten percent of the vote. Under current law, this will give us legitimate status as a permanent political party in Colorado."

Jim's campaign will continue to concentrate on the question "How free are you when you have to work almost half of every year to pay your taxes?"

If you want to work less for the government then stop voting for either of the government parties — vote Libertarian. That's the only message you can give them that they'll understand.

party since 1916.

Our goal is as the name applies — liberty. We intend to take every opportunity to

John Mason First Congressional District



Colorado's First Congressional District has been held by Pat Schroeder since 1972. In these eight years, our economy has been made a shambles. We are now facing problems that more closely resemble an under-developed third world nation than the free and productive nation we once were.

Inflation is approaching 20% and climbing. Unemployment remains high — despite billions for "jobs" programs. Productivity is plummeting, and there are renewed calls for tariffs and quotas.

Without a doubt, the state of the economy is the most important issue we face in this election, and without solving that problem, all others become moot.

And without a doubt, neither the Republican or the Democrat in this race understand the problem.

Pat Schroeder blames OPEC for our ills, even though she consistently votes to tie the hands of the very people who can solve our energy problems.

She admits that uncontrolled government spending is part of the problem, and that she favors reduced spending and balancing the budget. But it's a reluctant admission, and she spends a great deal more time lamenting the Congress' inability to reduce and balance the budget than she does leading the fight against special interests and higher spending.

committee has pledged dramatic increases.

To be fair, the voters of Denver — and for that matter, the rest of the nation — have rarely been offered a real alternative.

In the First District, we have been offered a flock of sacrificial lambs by the Republicans. And they have never demonstrated an ability to grasp the problems we face.

Naomi Bradford is this year's challenger. She honestly believes that our problems can be solved by massive increases in defense spending, giant dam-building projects, and dealing with the Federal Budget the way she did on the Board of Education — where despite declining enrollments, the budget continues to climb.

Naomi represents the kind of conservative Republican, who, despite all the free enterprise lip service, does not understand the fundamental nature of a free market economy and believes that government can solve our problems if it just spent money in the "right" places.

That's what the choice *usually* comes down to: who will spend more where. And that choice has wreaked havoc with our lives. In 16 years of Republican administration in Washington, the dollar has declined in value by 37¢. In 15 years of Democrats, it declined 33¢.

Not a dime's worth of difference. And hardly a choice.

The First District needs a Congressman who will fight for *reductions* in spending and taxation. We need a *leader* who will fight for legislation to *repeal* programs, not add new ones.

It is critically important, especially for cities, where economic disruption is concentrated, to stop our economic decline.

I am campaigning for a first-year reduction in spending of \$200 billion, coupled with a tax cut of \$180 billion. These proposals can be accomplished simply by ending programs that are totally unnecessary, that restrict competition, subsidize business and other special interests, and that spread our defense thin all over the globe. The tax cut would end taxation for millions, and cut it in half for everyone else.

Only by reducing dramatically the role of

Paul Grant Second Congressional District





Freedom is the issue! In our country today our government has become more important than the people it is supposed to serve. There is no area of human activity which has escaped the oppressive influence of government interference. Taxes, licenses, permits, rules and regulations — they dominate our existence. We started with the idea of a government instituted to protect the rights of the individual — the rights to life, liberty, property, and the pursuit of happiness. What we have produced instead is a monstrous government, one which demands ever-increasing sacrifice and service from its citizens.

What went wrong? The answer is that our political system has failed us. The Constitution and the Bill of Rights were not enough to protect us from the enticing corruption of power. When good people ignored the political process, others did not. The price of liberty is eternal vigilance, and we failed to pay it. There is, however, still an opportunity to correct our mistakes.

We can use the political process to reestablish human liberty and to abolish the abusive powers of government.

We can start the corrective processes immediately. In fact, they've already started — with the formation of the Libertarian Party. The Libertarian Party was formed only eight years ago, but has already grown to become a nationally respected political organization. This fall the LP will be running 500 candidates across the country and our presidential candidate, Ed Clark, will be on the ballot in all states and the District of Columbia, a feat not accomplished by a third

party since 1916.

Our goal is as the name applies — liberty. We intend to take every opportunity to reduce government interference with our lives and property. A government which tries to do more than protect our basic rights and liberties is beyond its proper bounds.

Neither the Democrats nor the Republicans understand that government is the problem, not the solution. Tim Wirth, for instance, supports the federally subsidized \$25 billion synthetic fuels boondoggle. This is welfare for rich corporations at the expense of the taxpayer. If we have a shortage of available, inexpensive energy in this country, it's the government's fault. Price controls and restrictions on energy development are products of government, not of the free market. Turning to government managed bureaucracies to increase energy production is sheer folly. My answer to energy development is to let private entrepreneurs and private owners of energy resources decide, in the absence of government interference, whether they think synthetic fuels are a wise investment. Let them risk their money, not the taxpayers'; and let them keep whatever profits they earn. That is a fair and equitable solution to the problem of energy development.

My answer to high taxes is to lower them; my answer to meddling government bureaucracies is to abolish them. I support Ed Clark's proposal for a first year \$180 billion tax cut and a \$200 billion spending cut. Income taxes will be cut 50 percent across the board, and dozens of programs and agencies will be abolished. Among those to go will be the Departments of Energy and Education, FTC, SEC, FCC, ICC, OSHA, and COWPS.

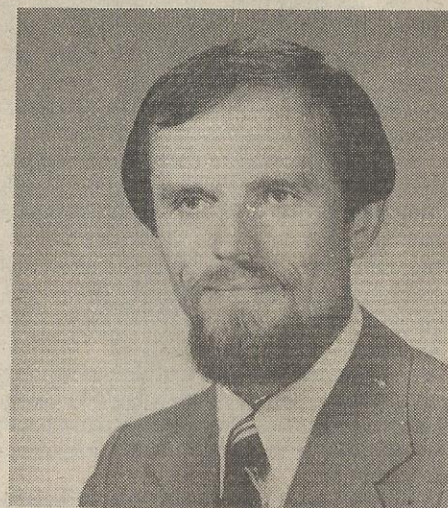
Only the Libertarians will reverse the growth of government. Republicans and Democrats argue about the proper rate of government growth, not the direction. With Republicans in office, you can be sure that taxes and spending will continue to increase, high inflation and unemployment will persist, and we will continue to get involved in foreign crises with the ever-present risk of foreign wars. These are the inevitable results of bipartisan Republican policies.

A vote for me in the 2nd Congressional District and for Ed Clark for President will be a clear statement of your opposition to the tried and failed policies of the tired old parties. The sooner we start electing Libertarians to office, the sooner we can begin working toward the libertarian goals of peace, freedom, and prosperity.

limiting the Congress' inability to reduce and balance the budget than she does leading the fight against special interests and higher spending.

Pat votes for new welfare spending, for increased foreign aid, for increased taxation. And in her years on the Armed Services Committee, industrial welfare (defense) programs have continued to grow, and her

Jim Glennie Third Congressional District



The race in Colorado's third congressional district presents a real challenge for Libertarian Party candidate Jim Glennie. Two years ago Democrat Ray Kogovsek of Pueblo eked out a narrow win over Republican state legislator Harold McCormick of Canon City by less than 400 votes out of 139,000 total.

Kogovsek, whom the National Taxpayer's Union labels as a "Big Spender" on the basis of his voting record, derives much of his support from the Hispanic community by appealing to the need for federal solutions such as "affirmative action" programs to solve the problems of discrimination and underemployment of minorities.

McCormick is a staunch conservative who favors big business and a strong defense (i.e., an increased American military presence around the world).

Inasmuch as the major party candidates represent the liberal and conservative poles of their respective parties, it provides an excellent opportunity for the Libertarian candidate to clearly draw the distinctions between those two aberrant offshoots

defense than all over the globe. The tax cut would end taxation for millions, and cut it in half for everyone else.

Only by reducing dramatically the role of government in our lives can we solve the problems of inflation and unemployment. And only Libertarians are prepared to do it. This year we have that choice.

The people of Denver deserve no less.

represented by Kogovsek and McCormick.

Glennie plans to stress certain national and local issues during the campaign. The oversized and over-coercive federal government created by the major parties will get the blame for inflation, unemployment, high taxation, foreign policy disasters, and the energy "crisis" by showing that these problems are interwoven by the web of statism. Libertarian solutions will be shown to be the sword needed to cut the Gordian Knot and set us free to solve our own problems.

On the district level, one important issue involves the Fort Carson Army base's proposal to condemn 250,000 acres of ranchers' land to make an addition to their facility. The ranchers don't want to sell and are up in arms. The local politicians, as usual, are mumbling nonsense, being careful not to get caught in a cross-wind. Both Glennie and Lanning (Libertarian candidate in the adjacent fifth district) have voiced full support for the ranchers in their efforts to keep their land. This is a classic issue which demonstrates the Libertarian ideal and its contrast with the corruption of coercion.

On the energy issue, Glennie plans to hammer away at the federal "solution" favored by Kogovsek. Libertarian energy policy will stress the need for establishing a truly free market (to be accomplished by abolishing DOE, the windfall profits tax, the Synthetic Fuels Corp., all price controls, and all government subsidies). Environmental protection will be achieved by selling (or homesteading) the BLM lands which comprise most of the region where oil shale and coal are found, and conveying to the new owner full surface and mineral rights with the legal recourse to protect those rights.

Currently there are three debates scheduled to be televised: Channel 5 in Pueblo on October 10, Channel 6 in Denver on October 24, and Channel 8 in Pueblo on October 30.

Cynthia Molson-Smith Fourth Congressional District



Colorado's 4th Congressional District covers virtually all the northern third of the state, stretching through 22 separate counties from Utah to the Nebraska border, and including three distinct geographical and economic regions: the Front Range; the "Resort Rockies"; and the Western Slope. For all its diversity, however, the District faces a single, central problem — growing dictatorial control by Denver and Washington.

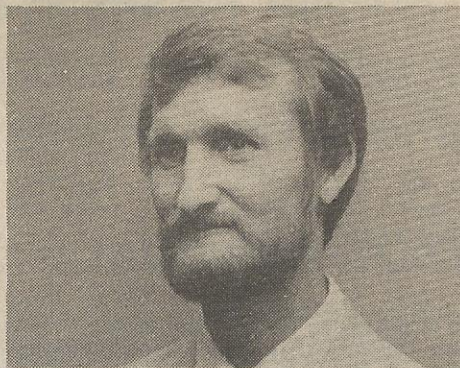
As a Libertarian candidate for Congress, my first pledge is to help constituents avoid government interference in their lives. Coloradans increasingly are being pressured to "contribute" their resources to the rest of the country, under federally-sponsored water and energy development programs, whether they want to or not. It isn't the business of Congress — or of anyone except the private owners of the land themselves — how these resources should be developed and distributed. As with agriculture, the price at which a producer chooses to offer his product (and to whom he chooses to sell it — and whether he chooses to sell it at all) is his business alone. No legislator, no cabinet secretary, no President has any legitimate say about it whatever. As a Libertarian Congresswoman, I will vote against any bill setting up or extending such illegitimate authority — and introduce legislation to repeal existing laws — which restrict the individual's right to trade freely.

how they may or may not run their own lives. As a Libertarian, I oppose crimes of initiated force such as rape, robbery, murder, and so on. But these I sharply distinguish from activities such as pornography, gambling, prostitution, and drug use. One may not approve of these essentially victimless pursuits — or wish to indulge in them oneself — but as long as those engaged in them do not forcibly impose them on the lives of others, there is no justification for any kind of intervention by the State. Further, the time and energy wasted on them by our overburdened police departments seriously detracts from genuine matters of life and death, injury to people and destruction of property.

Conscription has recently arisen again as a major political question. The draft is involuntary servitude — slavery — and it is both ludicrous and unconstitutional for a free country to compel service in the defense of freedom. This applies equally to "peacetime alternatives" such as the Peace Corps or VISTA. Compulsion is compulsion, and that is the key point: you are the one who should determine how you use your time — your life — NOT the government. No one owes "society" anything except fair and honest dealings with other individuals. I do not oppose an adequate defense system, but simply refuse to countenance involuntary servitude for students, women, or anybody else.

Environmental and energy problems loom large in Colorado. The Federal government has created a phony "energy crisis", and on that excuse, a gigantic Department of Energy (which costs more than all combined oil company profits) to further restrict and control what we individuals do with our lives. Private ownership of land and resources is what we must aim at in Colorado, and reversal of such practices as Eminent Domain which allow bureaucrats to boot people off the land they own (as happened on an appalling scale following the Big Thompson Flood). There are rational, non-coercive environmental alternatives to government regulation, and as your representative I will publicize and promote them so that my constituents will know there's someone

John Lanning Fifth Congressional District



The purpose of my campaign is to spread the philosophy of freedom through the principles of libertarianism.

The basic moral principle is that no man or group has a right to initiate force against others. The only proper function of government is to retaliate against those who initiate force. Today government has passed laws and regulations which initiate force, leaving us disarmed and disenfranchised, our rights violated by the very agency that is supposed to protect them.

The military draft is involuntary servitude, and an obvious and flagrant violation of the right to life itself. Free men have always been willing to defend their country; slaves have not. The best guarantee of a strong American is a free people and a reassertion of individual sovereignty.

I will advocate an immediate undertaking to develop a strong National Guard. Joining a local National Guard would be voluntary. An armed citizenry able and willing to defend its property would give any potential aggressor pause to reflect.

Our armed forces in foreign countries, who serve only as a trip-wire to plunge this nation into war, should be brought home. Our military purpose should be to defend this nation, not to police the world. In countries where political instability is prominent, U.S. embassies should be abandoned and U.S. businessmen and travelers would trade, invest, and travel at their own risk. This would prevent catastrophes like Iran.

We should pursue a policy of strict non-intervention. Free trade, not foreign aid is

Economic freedom and prosperity will not be attained until the free market system is allowed to operate. To this purpose, I advocate the abolition of government regulatory agencies which obstruct and impede the flow of free trade and restrict competition.

Special favors and subsidies to businesses and special interest groups must cease. The corruption and bribery of government officials will end only by abolishing their ability to dispense special privileges.

Taxation is confiscation of the fruit of one's labor and a violation of property rights. Taxation is a negative drain on the economy, transferring wealth from the people who produce it to the government, which wastefully dispenses it.

I support a \$200 billion reduction in government spending, which will allow the largest tax reduction in the nation's history, and balance the budget.

As the economy improves from the stimulation provided by the above measures, demeaning and de-humanizing government social programs can be phased out. These welfare programs assume responsibility for peoples' lives and rob them of their dignity. As government takes over more of peoples' responsibilities, the moral fiber of the nation becomes increasingly worse. I see this as a greater threat to our nation than any foreign power.

I advocate the dismantling of the system of compulsory State education and its replacement by a network of diverse, voluntary educational opportunities. A tax credit to those who send children to private schools would be an effective first step in revitalizing the field of education.

Libertarianism is nothing less than the completion of the ideals of the American Revolution, updated and applied to our own time. Moved by a passion for justice and for those oppressed by State power and privilege, we have raised the banner of Liberty.

Our forefathers were willing to die for freedom. I'm sure that the American people are now willing to vote for it.

WRITE IN CANDIDATES

authority — and introduce legislation to repeal existing laws — which restrict the individual's right to trade freely.

Recently we have seen more and more vicious attempts to tell Colorado citizens

Ruth Bennett State Representative, Dist. 11



Ask someone to close his eyes and picture a perfect world.

Most people will talk of a world of Peace; a world in which they can live free from force, from hunger, and from fear. They picture a world where their children can be happy and healthy and can hope for a still brighter future. They see a society where there are plenty of jobs and no-one is telling them what to do. In other words, what most people actually hope for is a libertarian world.

What I hope to accomplish by running for State Representative is to communicate to people that their own interests coincide with the goals of the Libertarian Party, that a free society benefits everyone. People should be left to pursue their own interests as long as no force or fraud is used. Communication is the general goal I seek.

More specifically I hope to show people that I can, as perhaps the only Libertarian in the General Assembly, have an impact. I can introduce bills on specific topics to make Colorado a state where freedom will exist once again.

Adults should be able to enter into voluntary contractual relations with each other. This means that laws prohibiting homosexuality, prostitution, pornography, gambling and drug use should be repealed. I would introduce legislation to do just that.

For example, I would sponsor legislation to decriminalize drugs of all kinds, (The difference between conservatives and liberals is that conservatives want laetrile legalized but not marijuana and liberals want

marijuana legalized but not laetrile. Some difference.)

Since approximately 25% of our prison population is serving time for drug-related charges an elimination of drug laws would decrease the number of prisoners and so obviate the need for expansion of the state corrections system, thus saving the taxpayers the cost of building new prisons and jails.

Since the only legitimate function of government is to protect persons and property, the fact that the state and local police are out busting homosexuals and prostitutes wastes precious resources. Rather than arresting adults engaging in voluntary non-coercive behavior, the police should be patrolling the streets and alleys and protecting us from murders, muggings, rapes and robberies.

The fact that you and I don't approve of certain kinds of behavior doesn't give us the right to outlaw that behavior. As long as any person's actions do not involve coercion it isn't the business of the government to stop it. One quality of civilization is to learn to tolerate those with whom you disagree. You have no more right to prohibit my peaceful behavior than I have a right to force you to participate in it.

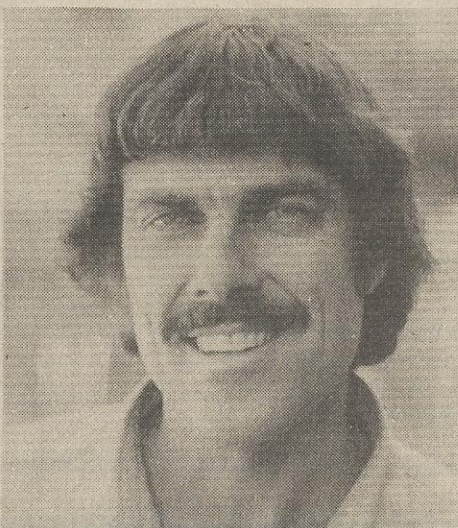
Most people are libertarians. They live their lives in a libertarian manner. They don't want to interfere in anyone else's life nor have anyone interfere in their's. They want to pursue their own interests in a peaceful way.

That is what I want and that is what the Libertarian Party is trying to bring about.

A vote for Ruth Bennett is a vote to free the system up and to allow each of us to live our lives as we choose. A vote for Ruth Bennett relieves us of the high cost of victimless crimes, and allows the justice system to do what it is best designed to do: protect the rights and property of its citizens. Perhaps Capitol Hill can once again become a place in which it is safe to grow up, raise a family, and live a full and peaceful life.

trade, invest, and travel at their own risk. This would prevent catastrophes like Iran. We could pursue a policy of strict non-intervention. Free trade, not foreign aid, is the way to spread the ideas of freedom. I support the abolition of all tariffs, customs and quotas. American imperialism must end, and involvement in the affairs of other nations must cease, whether done in the name of alleged "anti-communism", of guaranteeing American access to raw materials and foreign markets, or protecting American investments abroad.

Stormy Mon State Representative, Dist. 57



Libertarian Stormy Mon, 15 year Aspenite, is on the ballot for the Colorado House District 57 seat. The district covers the area from Vail and Leadville, west to Utah. It has previously been held by John Vanderhoof, Mike Strang and Nancy Dick.

Mon (also spelled Mohn, rhymes with John) says, "The most important issue is Free Choice in Education. Many students, parents and administrators would like to have alternatives to compulsory government schools. It goes against our sense of American justice and fair play that parents should have to pay for government schools, then pay again to have their children educated in a private situation of their choice." Libertarians favor tax credits for parents choosing education alternatives.

"Libertarians are anti-politicians, the antidote for political poison. I AM NOT A POLITICIAN! I would be deeply and per-

sonally insulted to be thought of as a politician!" Putting his money where his principles are, Mon has pledged if elected not to accept any salary, expenses or privileged parking place from Colorado taxpayers.

Stormy was the only Western Colorado delegate to the libertarian convention that chose Ed Clark as this year's presidential candidate. Mon is editorial and publication assistant on "A LIBERTY Book", the Little Green Book on the essence of Freedom. Stormy testified this past legislative session for better use of law enforcement resources. He has previously been a candidate for Aspen City Council.

Other major issues he plans to discuss are general tax reduction through the use of private alternatives, abortion, energy, inflation, and the general libertarian principle of reduced government involvement in our lives.

"Western Colorado residents don't look to Denver or Washington D.C. for solutions to problems. We want bureaucracies to leave us alone."

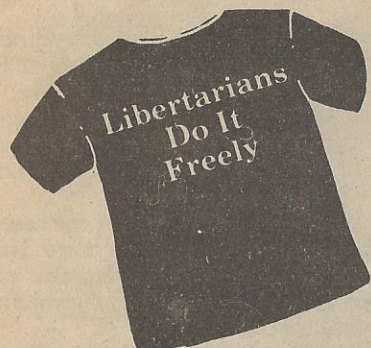
Mon is currently challenging the IRS and U.S. Government on the constitutional issue of government power versus individual rights. He sees it as a 4000 year old worldwide issue. "The Free human individual is our most endangered species." So far he has been awarded a one year federal prison term for his efforts in questioning government power, authority and bureaucracy.

Stormy thinks highly of Robert Ringer's libertarian book, "RESTORING the AMERICAN DREAM", which is his campaign slogan and theme. Mon is single, 35 and supports himself by his libertarian writing and taxi driving.

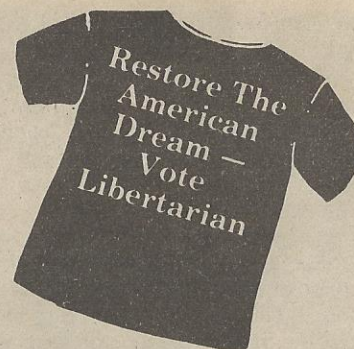
WRITE-IN CANDIDATES

Two other candidates have recently announced. Because of the late date, they are running as write-in candidates. Tom Mullen is running for State representative in District 31, which is in Adams County. Hue Futch is running for State Representative in District 61, which is in Park County. Contact the office if you would like to help on their campaigns.

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Government Meddling Threatens Metal Supplies

by Patrick L. Lilly

The government's attempts to make the U.S. independent of foreign sources of oil may be repeated in the case of numerous metals and minerals, once the results of a new Congressional study sink in. The study was undertaken by the Joint Economic Committee (chaired by Sen. Lloyd Bentsen, a Texas Dixiecrat), and the results were released early in August.

The study warns that the U.S. imports as much as 80% of its supply of such materials as platinum, cobalt, and manganese from unreliable places like South Africa and the Soviet Union. It specifically warned against the danger of "a potential minerals cartel" which could put a squeeze on U.S. industries such as jet aircraft and automobile manufacturing.

Cobalt from Cuba, the U.S.S.R., Zaire, and Zambia is used to make jet engines. The report warned that political unrest in Africa could make domestic manufacturers totally dependent on Communist bloc nations for cobalt. Although the study didn't mention it, there is an additional problem with cobalt because the importation of cobalt for uses other than those approved by the government has been banned for years.

Chromium and titanium are also among the metals for which the Soviet Union is now the principal source, or at least a major source, for U.S. users.

Unfortunately, the most predictable result of a widespread appreciation of this situation is that the federal government will instigate another emergency "independence" program, like the one begun under the Nixon administration which reduced our dependence on imported petroleum from roughly 25% to just 45% in only five years. Look for proposals for more controls and price-fixing in the metals and minerals markets before very long.

The *real* solution, of course, would be the swift establishment of a free international market for these and other minerals. A policy of trying to cajole and threaten the nations of Africa into doing things our way with regard to minerals (while we're still trying to cajole and threaten the nations of the Middle East into doing things our way with regard to oil) can only mean increasing control of American society by the military, and will ultimately lead to a direct confronta-

KNOWLEDGE

Sure, you're fired up with libertarian principles. They're logical, consistent, and just. A world based on them would be vastly better than what we have today.

But most people don't think in terms of principles. They're bogged down in the here and now. Try to convince them about liberty, and you're going to hear things like:

reason

But most people don't think in terms of principles. They're bogged down in the here and now. Try to convince them about liberty, and you're going to hear things like:

- "That sounds fine in theory, but it will never work in practice."
- "If the government didn't look out for air safety, there'd be planes dropping from the sky left and right."
- "If we hadn't had 200 years of public schooling, we'd be a nation of illiterates."
- "Surely you don't think private enterprise could provide police and fire protection!"

Can you answer questions like these? You could if you were a Reason reader. Each month Reason applies libertarian principles to the real world. Reason shows how government solutions fail, with specific, factual examples (like our exposé of the government's fraudulent figures on Social Security benefits). Reason shows how the free market and private entrepreneurs can provide creative, new solutions to people's problems (like our unique coverage of private, profit-making police and fire services). And Reason exposes the corruption that goes hand-in-hand with massive government (like our widely quoted story on the misuse of federal grants by Cesar Chavez's union).

It's knowledge like this—solid, factual, comprehensive—that can make you an effective communicator of libertarian ideas. And it's available each month in Reason.

Take advantage of the special half-price offer for readers of this publication. Subscribe today for just \$1.00 per month—50% off the \$2.00 cover price. Think of it—plenty of intellectual ammunition for just \$1.00, each and every month.



with regard to oil) can only mean increasing control of American society by the military, and will ultimately lead to a direct confrontation with the Soviet Union. They can't be cajoled into giving us the commodities we want; the only "final solution" to such a dilemma would be all-out war for metals.

We just may have enough time left to revitalize our own economy and reduce international tensions and trade barriers so that we can be assured of trading peacefully for the metals which our high-technology lifestyle — not to mention our high-technology defense — requires. But don't count on it as long as the present administration is in Washington.

Now You're A Cop

Continued from page 1

possessors, or some dirty tax avoiders . . . and you don't promptly turn them in, then you must have something to hide, and . . . well, you get the picture. Nor is this mere paranoid speculation. Under this kind of law, one is deemed to become, by his or her act of omission in not reporting his or her suspicions to the cops, an accomplice of the "criminal", subject to being hanged right alongside him.

This is a good example of the kind of doctrine of law which has no "program" attached to it and, thus, draws little notice in most political discussions. It cannot be changed by abolishing any agency, or repealing any (other) specific criminal statute. But it is just the kind of thing which Libertarians, just as soon as they have the legislative clout to do so, must energetically ferret out of the law books.

The free individual does not have an ongoing obligation to assist the State in enforcing its laws just because they exist. Rather, a legitimate government of free people must compete, like any other possible use of a person's time, resources, and loyalty, for each individual's uncoerced decision to help. When our government openly admits that it "needs" a law drafting the entire population into the police force, it is rather clearly saying that, given a choice, an awful lot of people reject enforcement of its laws.

We know why: the laws are flagrantly unjust, and the methods by which they are enforced are worse. That's all that really needs to be changed, but that would put the moral and practical burden on the minions of the State, not on you and me.

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The "Fair" Amendment — Two Views

"Shall article XVIII of the Constitution of the state of Colorado be amended to provide that in order that all persons shall have the right to sell or transfer their real estate or any interest therein subject to existing financing, no person or lending institution with a security interest in the real estate shall accelerate or mature the indebtedness secured by such real estate or alter the terms and conditions of the indebtedness or security interest because of such sale or transfer, so long as the original debtor remains directly responsible for the indebtedness and the security for the indebtedness is not substantially impaired by the sale or transfer?"

For

by Curtis W. Shortridge

Proposition #4 on the ballot this November 4 — the so-called FAIR Amendment — seeks to preserve a fundamental liberty which has been guaranteed to citizens of this country since 1776. The FAIR Amendment protects the right of a person to transfer real property subject to any existing financing secured by the property.

Proposition #4 is an amendment to the Colorado Constitution and with good reason. Proposition #4 is *not*, as its opponents have tried to characterize it, another governmental regulation or bureaucratic attempt to control the business dealings of private citizens. Just as the First Amendment guarantees of free speech are not regulation of the fundamental right of a citizen to speak out freely, the FAIR Amendment simply protects the right of any citizen to sell his real property in the manner he chooses.

Proposition #4 does not condone nor provide for the breaking of a contract. In reviewing the language of the Amendment, one sees that it deals only with the manner in which a "due-on-sale" clause may be enforced by the lender. The purpose of a mortgage instrument is to provide security for repayment of the loan secured by the real property. If the subject-to sale of the property jeopardizes the security interest of the lender in the property, the lender may enforce the "due-on-sale" clause. If the lender cannot show that the security interest is threatened, then how can it be said that to prohibit a foreclosure sale of the property (as the FAIR Amendment does) allows the owner of the property to "break" the mortgage contract? The owner of the property is not breaking the mortgage con-

Against

by Cynthia Molson-Smith

"Fair" isn't a word — it's an argument: "fair" profits, "fair" wages, "fair" prices, and lately, "fair" interest rates. The so-called "FAIR" Amendment — Proposition #4 on this November's ballot — isn't "fair" at all, but simply another shabby attempt by a few latter-day mercantilists to improve their position in the market by restricting the ability of their competitors to do business.

That, plainly speaking, is pretty unLibertarian.

Currently, when a mortgaged property with a conventional loan changes hands, and the lender is a savings and loan association (as it will be about 85% of the time), the interest rate can be adjusted to reflect current money market conditions. Lenders know that, on the average, mortgaged houses are resold (regardless of the mortgage terms) every 7½ years, giving them three or four opportunities to re-adjust, and this inclines them to be more

liberal about the original rate than they might otherwise be.

Proposition #4 would outlaw readjustments of this kind, forcing lenders to load up the front-end of the mortgage in order to compensate for anticipated changes over periods as long as thirty years. This means a borrower who might have gotten, say, 10% will now most likely end up borrowing at a considerably higher rate. This is the law which (its adherents claim) will make cheaper mortgage money available?

Worse, if #4 passes, Colorado savings and loans will have much, much less money to lend. Colorado is a capital-poor state, and more than most states needs the influx of funds gotten by selling mortgages on the secondary market. The two main groups which buy mortgages from S & L's say that Prop. 4's wording would make Colorado mortgages "wholly unacceptable," and that they would cease to buy them. (In other states, even where interest-rate legislation is worded similarly to Prop. 4, the results have been less drastic, because they are less dependent on the secondary market for their capital.) So if #4 gets by, the inevitable law of supply and demand will mean rates are headed only one way: UP.

Now I work for a major Colorado savings and loan, and you may ascribe to me any bias you like — but you might also like to know who's on the other side: a company called Income Realty and Mortgage, whose livelihood is based on offering alternative financing to people with little capital who

want to enter the property market. There's absolutely nothing wrong with this; I'm glad such alternatives exist. But you don't make a heavily-regulated industry better by introducing more regulation! You remove restrictions and let competitors compete on equal, not preferential terms.

And you don't go to the voters for decisions like this, you go to the slings and arrows of the free market.

It's interesting that F.A.I.R. supporters claim that mortgage lenders violate what they call "centuries and centuries of tradition and common law" — the inalienable "right" of the owner to sell his property. Just like supporters of socialized medicine, they're confusing the right of anyone to make an offer in the market with the obligation they'd impose by force upon those to whom the offer is being made. Moreover, the right of the lender to determine the rate at which he's willing to lend money is truly inalienable — as is the right of sellers, buyers, and lenders to contract freely without any advice or help from the government or from Income Realty.

The F.A.I.R. Amendment is bad in principle and bad in practice. Don't vote for heavier regulation, and don't be misled by accusations leveled against "multimillionaire bankers" — by a mercantilist who's a multimillionaire himself. If you want to do something for competition in banking, vote for Proposition #5, which removes restrictions against branch banking.

But vote NO on #4.



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owner of the property to "break" the mortgage contract? The owner of the property is not breaking the mortgage contract.

When the mortgage contract was entered into, the lender presumably lent the money at the then market rate of interest. The lender was satisfied with the interest rate of the loan or the lender would not have made the loan. For the lender to at some later time seek to alter that contract and raise the rate of interest is breaking the contract. Using the "due-on-sale" clause to bully persons into paying the higher rate of interest, or into paying off the loan, is tantamount to extortion.

Don't be fooled by the opponents of Proposition #4. The savings and loan associations, and for that matter all institutional lenders, are a quasi-governmental monopoly. They are the most regulated industry in this country. They are not businessmen — they are bureaucrats. To call an institutional lender a "private business" is like saying that the United States Postal Service is a sterling example of free enterprise. The institutional lenders are bureaucrats in sheeps' clothing and have absolutely no connection with free enterprise or private business.

A vote for the FAIR Amendment is a vote to preserve one of your fundamental liberties.

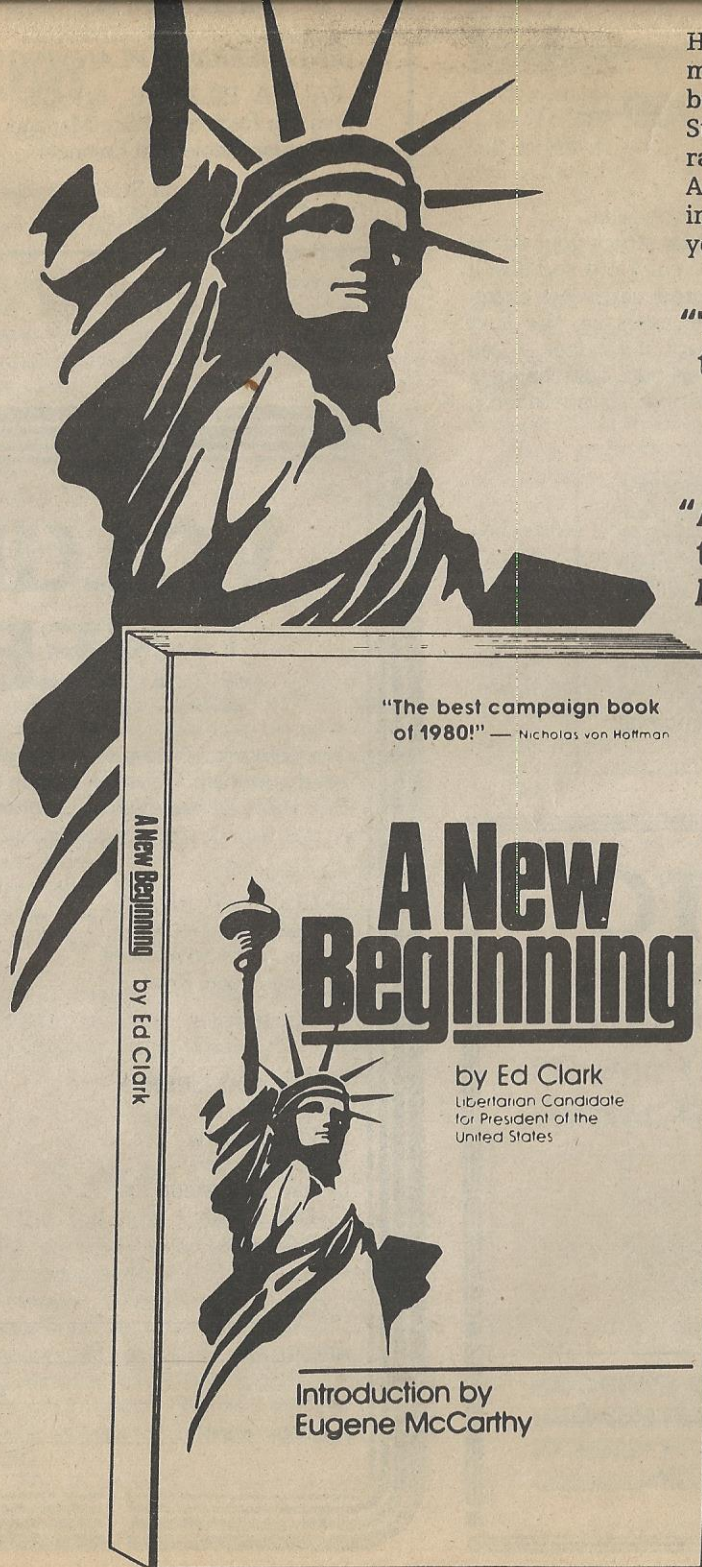
No Legal Authority

Continued from page 2

Dept., appointed July 6, 1977; Jack Kinstlinger — Highway Dept., appointed October 24, 1975; Col. C. Wayne Keith — Highway Patrol, appointed 1972; Frank Traylor — Health Dept., appointed December 31, 1978; Robert Ore — Labor Department, appointed April 4, 1977; Monte Pascoe — Natural Resources Dept., appointed March 18, 1980; Gail Klapper — Regulatory Agencies, appointed October 1, 1977; Ruben Valdez — Social Services, appointed November 1, 1979; Lee Kerschner — Higher Education (appointed by the Commissioners), appointed September 1, 1978; Calvin Frazier — Education Dept., appointment date unknown. All of these Executive Officers took no Oath of Office until May of 1980.

Read your Constitution; check out this story with the Secretary of State; think hard about what your freedom means; then ask yourself . . . WHO'S IN CHARGE HERE?

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The November, 1969 issue of *Saga* magazine contained an article by an alleged "psychic," in which he made a number of predictions about future events.

Interestingly, these were not the usual vague prognostications about earthquakes and international conflicts; many of them were quite specific as to time, place, and the

nature of the event prophesied.

One item in particular struck your editor as so unusual that he cut it out and filed it away. That item is reproduced below, exactly as it appeared eleven years ago. We don't expect it to come true, but if it does — you read it here first. (Or second, if you happened to see it when it was originally published.)

AMERICAN TRAGEDY 1980: I regret to predict an American tragedy on November 11, 1980! An instant newflash from the White House will tell of the first suicide of an American president! This president will be popularly elected with much promise, but the public will turn against him, and he will be the most hated official in all history. I predict that the suicide will take place in the lonely small hours of the morning. A shot will be heard, and upon investigating, his wife will find the sprawled body of her husband in his private office. A gentle rain will be falling, as will the tears of all Americans! The dead man did not fail us, we failed him!

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